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Values of property (Properties of value): capitalization of kinship in Norway

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Abstract:

“This paper examines the multiple forms of value invested in holiday properties among some Norwegian families. Holiday homes - summer houses, mountain cabins, country houses - are common in Norway, as are many of the practices through which they are inhabited, shared and inherited. Within the legal practices of testaments and handovers, can be found a wealth of kinds of value, some of which can be translated into each other. For example, the capitalisation of ownership and use for the purposes of inheritance concretize the relations between family members in both financial and emotional terms. In exploring these relations, this paper considers the connections between people, property, landscape and movement through time.”

Values of property: capitalization of kinship in Norway

On regimes, and on value

The title of this volume, *Regimes of Value*, points to Appadurai's thesis on the complexity of relations of economic value and exchange value (1986). Appadurai builds on Simmel's observation that value is constituted by the exchange of an object, not by the object itself. Where Simmel goes on to discuss the role of money in exchange and value, Appadurai takes the anthropological route to consider different contexts in which objects circulate and the specifics of the creation of value in these different contexts, which he names 'regimes of value'. Appadurai was predominantly concerned with material objects and their exchange, contemplating Marxist ideas about the 'spirit of the commodity', and noting the tendency in anthropological writing to continue to set two types of exchange into opposition – gift exchange and commodity exchange. The contributors to Appadurai's book offer detailed discussions of the journey of objects in and out of the role of commodity, where value and price can become untethered, and where inter-cultural contexts generate situations where values are not shared between the parties to an exchange. Inevitably, in an anthropological discussion of exchange and gifts, the question arises of the Kula exchange system of the Western Pacific, a case that has been closely investigated and extensively discussed since Malinowski's classic account (1922). In brief (exceedingly brief), Kula is a system for exchanging shell valuables where valuables circulate between owners, gaining biographical richness and substance as they move between owners. The important facet of this exchange system of note here, is the way in which the holding of a Kula valuable brings reputation to the holder. That is, not only does the object gain value in its route of exchange, but the owner also gains and loses value in the cycle of receiving, owning and giving (see Weiner 1976, Munn 1986). There is a corollary of sorts among European monarchies - the monarch owns the crown of glittering worth, but ownership of the crown confers royalty upon the monarch, and the monarch thus grows in value through owning the valuable item. Of course, to add a level of complexity, as with Kula shells, a crown need not be a particularly valuable item in itself – although gold and jewels add a dimension of commercial cost and exclusivity to its value – but its symbolic value as an item that may only be owned by the monarch is what brings value to the monarch in his or her own person. In this sense, an object may confer value onto a person.

The relationship between this symbolic value that is attributable to ownership, and the monetary value of an object is complex, and provides the basic ethnographic conundrum to the articles in Appadurai's volume. It further provokes a discussion between Otto and Willerslev (2013) on the potential for anthropological discussion about exchange relations to generate a general anthropological theory of value. They take up Dumont's question of comparing different value systems, and assert that action is both informed by value and creates value. In other words, through different kinds of actions (including exchanges) an object may accrue value or lose it or change the kind of value that it has. Tsing's (2013) ethnography of Matsutaki mushrooms, for example, demonstrates the stages through which objects are commoditized through depersonalizing the relations between the mushroom and the owner (conversion into price-able, saleable commodities), before repersonalisation as they are purchased as gifts. The work of sorting mushrooms removes them from one set of personal relations (the 'hunter' finding the mushroom in the woods) and enables them to be recontextualised into another set of personal relations (gift-giving). More explicit accounts are also available of the tension between commercial (financial) value, and ethical, social or environmental value (see Ortiz 2013, Dalsgaard 2013), demonstrating that monetary value is one of a range of values that can accrue and disperse from particular objects, including imaginary objects, through time and through changing relations of exchange and ownership of the object. Ownership is a crucial element of exchange that has often been overshadowed by an emphasis on the exchange relation in anthropology, but has recently returned (Strang and Busse 2011). That ownership is a 'shadow concept' (Strathern 2011) of exchange is a peculiar but important notion in relation to value. Value, in other words, is fluid, multidimensional, sometimes fleeting, and tied to action (of which exchange is one example).

In this paper, two fields of value are explicated, that are among many related to property in the form of owned, built dwellings. Property is a particularly vexing object of value, since the values attributed to property range from symbolic and emotional to the exemplary instance of flawed market exchange. Housing was at the core of the 2008 financial crash, through the selling of virtualized credit, generating a huge financial bubble that collapsed in the most dramatic fashion. Housing market bubbles fuel housing problems across Europe, with price and use-value diverging wildly in many locations, with serious consequences for people unable to afford inflated rents or prices, just as much as for those left with unsaleable assets in unfashionable locations (for a lively account, see Meek 2014). At the same time, homes are more than just dwellings, providing both the location and the material of family life, facilitating particular relations and materializing others (see Carsten and Hugh-Jones 2004). Homes can be bought and sold, certainly, and they may be gifted – in particular they may be inherited in a special form of gift-giving, as I will outline below – and they may also be split and shared. In other words, houses are an extremely mutable form of property that requires people to reconcile conflicting forms of value. In this paper, I offer a short ethnographic example of one method through which attempts are made to reconcile conflicting registers of value and in the process constructing a new regime of value, in the context of holiday-making (a form of tourism).

Holiday homes as property with properties

This paper addresses the uses and ownership of Norwegian holiday homes, often designated as 'second homes'¹. Second homes are increasingly acknowledged as an important form of tourism, accounting for a significant sector of leisure travel, production and consumption (see Gallent and Tewdwr-Jones 2000).

¹ A contested term, since it presumes one residence is 'primary' which is very often not the case.

Literature on second homes has acknowledged in two ways that not all second homes are merely market commodities: firstly, by focusing intensely on the meaning and significance of a second home in the leisure life of the occupiers (Hall and Muller 2004), and secondly in acknowledging that second homes in some circumstances are inherited rather than bought and sold (Kaltenborn 1998). Less attention has been focused on how this works in practice and how the practices of inheritance shape second home use and ownership. As with all homes, second homes also have market value, whatever their emotional significance, and given the centrality of the tension between market and affect in Western social life, it is not surprising to see it reproduced in the field of second homes.

Flognfeldt estimates that up to half of the Norwegian population have access to a holiday home (2004), and it is clear that a significant proportion of the population own either one or several such homes, either outright or in common with others. Whereas primary homes, other than farms, are seldom inhabited by the deceased's heirs, holiday homes most often are. Research on the forms and practices of ownership and transference of these homes can reveal who owns holiday homes, who inherits them and who does not inherit. This, in turn, can tell us much about the ways that holiday home properties are used to 'kin' relatives, and how distinctions between kinds of relatives are made. Ownership signifies a complex web of relations, that both forms and reforms kinship relations, as well as having economic and socio-political significance. One might say that holiday homes are involved in both kinning and de-kinning Norwegian families. This paper represents a small project on second home practices in Norway, which addresses the movements and activities related to the holiday home (see Abram 2012 and Ween and Abram 2012), and the ownership of the property. It is based on visits to cabins, informal discussions with a range of cabin owners, interviews with solicitors, examination of a selection of legal files, and a review of court records. The paper outlines the regimes of value associated with Norwegian holiday homes by paying attention to inheritance.

Kinning and Houses

Anthropological research on kinship is largely concerned with the ways in which particular relations are identified and enacted on, through naming, exchanges, as well as reproductive practices. It starts from the premise that different societies tend to acknowledge different kinds of relations in different ways as kin relations, whether that be the identification of all maternal siblings in maternal relations with a child, the letting go of categories of cousin through underemphasis (through scalar effects: first cousins -> second cousins -> distant relations), or the wide variety of extended kin structures, such as clan or exclusively matrilineal or patrilineal kinship systems. The point is that kinship relations, far from simply existing as genealogical (let alone biological) ties, are relations that are practiced, given meaning, or cultivated in a partial and ongoing way.

Signe Howell defines kinning as 'the process by which a foetus or newborn child is brought into a significant and permanent relationship with a group of people, and the connection is expressed in a conventional kin idiom' (2006: 8). She permits that kinning 'need not apply only to a baby, but to any previously unconnected person, such as those connected by marriage'. Howells argues elsewhere that the study of adoption, that is explicit kinning activities, shed light on what we might think of as 'normal' kinship, through the contrast it offers. In particular, she is interested in how non-biological kinship offers a reflection on the biologism that is otherwise inherent in Western kinship concepts. Howell is concerned with transnational adoption and the different status that adopted children have to immigrant children, particularly the ways they are included into a (metaphorical) Norwegian national

family. However, it is possible to extend Howell's idea about kinning through reference to Carsten's work on kinship, inspired by Levi-Strauss's work on House Societies, as follows.

In House Societies, relations are defined by the material and immaterial estate that constitutes a 'family', and is signified by the house and property of the estate. In conceptualizing the estate, Levi-Strauss was thinking of the historic noble houses of Europe, where estates including land, noble titles and built property were passed on through first-borns from grandfather to grandson. But Janet Carsten has applied the principle to other societies where the sharing of substance and space is integral to reproducing kin relations (2004). According to Carsten, Levi-Strauss's discussion of Indonesian society suggested that neither filiation, property nor residence alone constitute kinship groups, but that marriage both unites families and provides tension between them. She outlines how, when a married couple leave their respective places of residence and form a new house, it, and the children born to it, appear to solidify relations between them over those to their respective kin (p.106). That is, the construction of a marital household can be crucial to the formation of a marriage and its consolidation through the birth of children and the establishment of a new family. Whereas Bourdieu's description of the Kabyle house saw it as a reflection or representation of the gendered domestic relations played out within and around it, Maurice Bloch suggests that the house physically becomes the core of a marital unit rather than merely representing it (Bloch 2004). Among Bloch's Zafimanary informants, newly married couples begin to build a rudimentary house, and over time it 'hardens' through the addition of solid building materials, and increasingly elaborate carvings on the main supporting posts. Such houses are passed on to youngest sons, but eventually, as subsequent sons leave to form their own households, it becomes a holy house at which blessings are made by later generations to the original ancestor couple who built the house. In other words, the house gradually becomes an arena for and the object of kinship rituals, thereby constituting kinship itself.

One might thus argue that the house itself becomes a means of kinning, providing the context and inspiration for the practice of kinship relations among affines, parents, children and siblings, etc. As will become clear, the greatest contrast between this and the case of Norwegian holiday homes is in the role of marriage as opposed to siblingship or parenthood. This is most clearly apparent through an examination of inheritance practices, as outlined below.

Norwegian cabins and the excess of emotion

While there are many different categories of holiday home in Norway, the term 'hytte' covers many of them, and here I will use the English term Cabin in its place. They may be mountain cabins, seaside summer houses, or old farms in the woods, but what unites them is their use as family holiday homes, their occupation during a limited number of weeks in each year, and their location out of the city, even if only a short distance. What distinguishes them is particularly the experience that many people share, of spending regular holidays at the cabin throughout their childhood along with their closest family members, of playing in and around the cabin over many years, exploring the surrounding territory through hiking, skiing or trekking and associated activities (fishing, building fires, picnicking) and the emotional intensity that this brings in relation to the particular place and the people with whom it is shared. At the cabin, people often spend time making their own fittings, bringing particular stones or pieces of wood from the surrounding area to the cabin site, or making decorations, as well as in customizing bought items to suit their needs or

desires². Such home-made items are thus invested with shared experience and historical significance, and often become the focus of sentiment and nostalgia³. The home-made may also include the cabin itself, or its fittings and furnishings, and these add to the emotional intensity related to the cabin that often comes to the fore in the process of inheritance (see Abram 2012). The most common first response that many Norwegian correspondents give to my description of the cabin research I am embarking on is, 'oh, so many feelings'. Many of these feelings come to a head when a cabin is passed on from one generation to the next, or sold out of the family. Almost every Norwegian I have asked about inheritance has been able to refer to at least one family who has been traumatized by conflicts over the inheritance of a cabin. In other words, this is a common experience, and thus worthy of detailed attention.

Norwegian inheritance in law and practice

Norwegian inheritance law is based on partible inheritance (similar to French inheritance practice, for example) and is focused primarily on parenthood and siblingship. Married couples share property in common and therefore do not 'inherit' from each other the property that they already own together. In contrast, the death of a surviving spouse triggers the inheritance of the property shared between a couple to their heirs, although this can also be precipitated in advance of death. In the law, inheritance follows a hierarchical schedule, with children and grandchildren being first in line (referred to in law as in the first class), with the deceased's parents and their other children (the deceased's siblings) in second class and grandparents and their children (deceased's cousins – parents' siblings children) in third class. Within the second class, inheritance follows branches, with older generations inheriting first, before their children, and each branch's share divided between heirs in subsequent generations (see figure 1). In this generational hierarchy, half-siblings may inherit through their respective parents, not directly from their step-parents, while adopted children inherit in the same way as biological children, since they have the same legal status. Children born outside marriage inherit equally from their father in the same way as other children. Heirs can only claim 2/3 of parents' estates, with the other third available for distribution in any will or testament. However, within that 2/3, the general presumption is that each sibling should inherit equally, and where a will is not present, the law prescribes that heirs should receive equal parts of the estate.

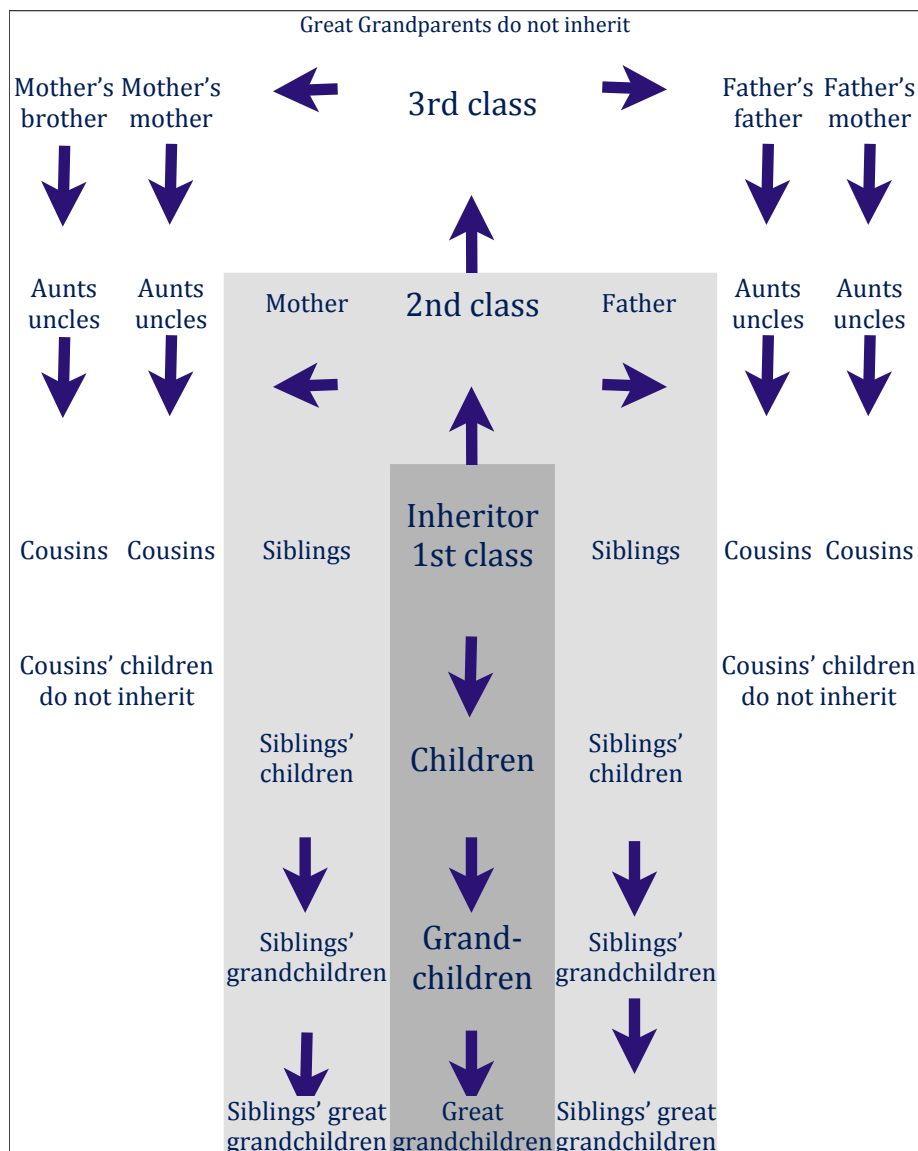
Partible inheritance through family branches potentially implies an ever-expanding number of owners through the generations. When property is distributed equally (e.g. when a person dies intestate), part-ownership of a cabin may be left in equal shares to all siblings. Each sibling may then divide their part shares to leave to their own children, the number of heirs thus rising exponentially. Within only two or three generations, the number of part-owners may be large, and historically this has been the fate of older cabins. Some of these part-owners may already be second generation emigrants, typically in America, or perhaps Australia, and be quite unknown to the remaining relations in Norway. In some cases, annual get-togethers to work on the cabin can be an opportunity to reinstate distant kin relationships, and it may indeed be the only occasion on which kin meet. However, cabins require maintenance and hence investment, and it may be the case that decisions cannot be taken on these matters, and certainly not on the question of sale, without all owners giving permission, which can, in time, lead to the ruin of a cabin. One remedy that some co-owners have taken is to set up a kind of share recall, whereby owners are offered a limited time to sell or buy each others' shares in the property, and a new co-ownership

² in what has been referred to as 'prosumption', Toffler 1980.

³ Thanks to Ingun Grimstad Klepp for this observation

contract may be established, for example with a fixed number of shares that cannot then be further divided on inheritance.

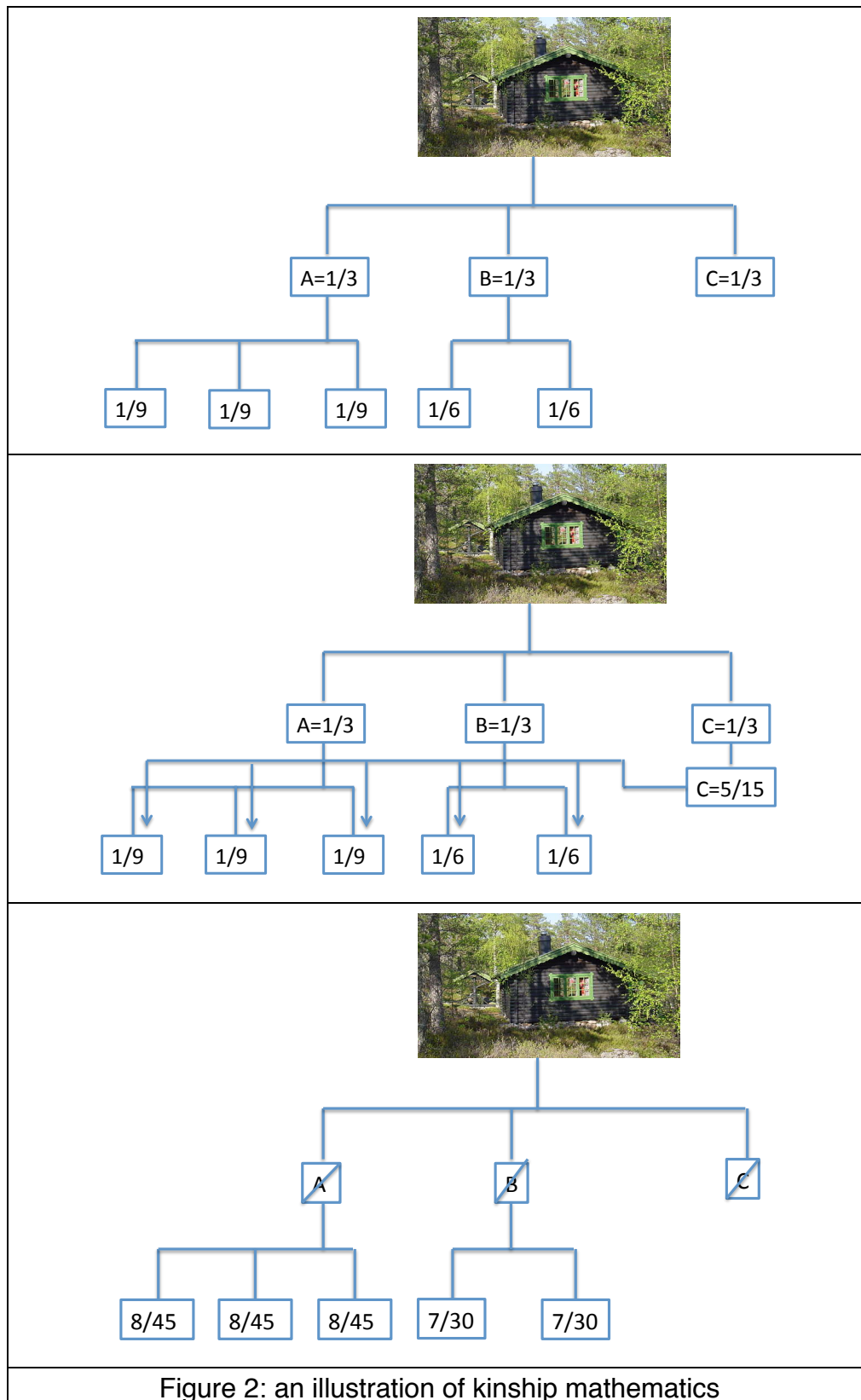
Figure 1: Inheritance Table (after Peter Lødrup 'Arverett'. Oslo 1999 p43)



What this highlights is also the possibility of adapting inheritance law in practice, through the drawing up of a will, on the one hand, but also by establishing contracts of sale of various kind, that pre-empt the will, and allow owners to adapt inheritance laws in practice. In other words, inheritance law is one thing, but inheritance practices are another, and although practices may be based in law, or may use the law, they also provide a form of interpretation of the law and the continuation of commonplace ideas about what the law should offer, as I will return to below.

Within a co-ownership contract, ownership may be inherited through different branches of a family leading to variation between share ownerships. For instance, Siblings A, B and C inherit a third share each in a cabin left to them by their parents. Sibling A divides their share between their three children, who thus each inherit a ninth through their branch of the family. B's two children each inherit a sixth, and C dies without surviving children, so his third is divided into 5 and is distributed through the other branches, with each of the other heirs getting an additional fifteenth share from C. A's children then own 8/45, and B's

own $7/30$ (see figure 2). In family O, for example, a property is shared between relatives as follows: Katrin owns $2/72$, Bart and Kjersti own $1/72$ each, Isold and Rikard own $22/72$ each, while Tor owns $24/72$. What we see is a kind of mathematics of kinship played out through the inheritance of shares in a cabin, and complex calculations in this kinship maths need to be reckoned at the point of inheritance.



In practice, there are many ways to organize the division of property on inheritance. It is common for the inheritance of cabins to be organized once a family's children become

adults, or as parents reach retirement. There are some tax benefits to handing over property in life, but it is also a means to ensure that any potential conflicts inspired by the inheritance are dealt with by the parents, rather than leaving siblings to fall out after they die. Family R provides one such example:

Mr and Mrs R own a third share in a cabin, whose other two thirds are owned by Mr R's brothers. Mr R is elderly and in poor health, and wishes to organize his will. He decides that in dividing his property between his three children, his daughter will inherit his 1/3 share in the cabin, but he wishes to offer his two sons the right to first-refusal if his daughter decides to sell her share. For this, he will seek the approval of his brothers. Mr and Mrs R retain the right to use the cabin for 4 weeks each year (the maximum allowable before the tax authorities consider it not to have changed ownership), specifying two particular weeks in July, and two others to be arranged ad hoc each year. The daughter thus takes over a third share in the cabin, her parents retain 4 weeks use per year, and the sons have the right to purchase the cabin if the daughter decides to sell. The third share implies a continued negotiation with the other two owners, the father's siblings, who may in turn leave their shares to their own children. In consequence, the daughter must remain in regular contact with her uncles and aunts to negotiate cabin use and maintenance, and she would be wise to consult her brothers if she has thoughts about selling up.

The first-buyer right is widespread in Norway, and seems to be derived from the principle of 'Odel'. Odel law (LMD 1974) derives from Norrøn law, and was intended to keep farms in the family rather than being divided up into uneconomic fractions through partible inheritance, in other words precisely to avoid the problems outlined earlier in this paper. An oldest son had the Odel right to inherit his father's farm, and if it was sold out of the family, he retained the right to buy it back within a number of years. The association between farm and family overrode other rights, such as a buyer's property rights, reflecting the degree of significance given to a family's ownership of land and property, which in turn were central to issues of identity, name and belonging. Odel, or Allodial Rights continue to operate in relation to farming and forestry land over a certain size (25 hectares of farmed land, 500 hectares of forest, Odelsloven §2), and allodial rights can be valid up to two years after a sale (§ 20b). Odel does not apply to cabins, generally speaking, although the principle of priority of purchase is often written into contracts to try to keep cabins in a family. This may be included alongside the equal distribution of property through inheritance. So although Odel law does not apply, the principle of keeping property whole, and/or keeping it in the family, remains a popular and significant principle, and Odel law is mimicked through the drawing up of contracts that entail rights of purchase, first-refusal for offers of sale, or rights to demand shares in ownership during property transactions. Rights of first refusal, on the other hand, are governed by a set of legal principles covered by '*Løysningsrettar*'⁴(of which Odel is one particular instance), which allows for a set of rights to first-refusal, ranging from the right to purchase before a property goes onto the open market, to the right to purchase from the buyer at the market price.

In general terms, equality between siblings remains an overriding principle in Norwegian inheritance law and in common practice (for a critique of Norwegian equality generally: see Lien, Liden and Vike 2001). In order to inherit equally, property must be divided, and this may be done by distributing items of equal value, by sharing ownership of them (and the obligations and costs this entails), or by attributing a monetary value to all items and dividing them accordingly. Where more than one property of different financial values is to

⁴ **Lov om løysningsrettar.** Justis- og beredskapsdepartementet LOV-1994-12-09-64

be divided, siblings may thus be able to inherit a single property, but be compensated financially for the difference in value between the different properties. A particular cause of dispute and resentment arises where siblings have different desires in relation to this property. In principle, one sibling may buy out the others, thereby compensating them financially for their share. In R's case, the daughter's siblings are compensated through inheriting other property owned by the parents, but the parents take steps to retain the cabin in the family by giving first-buyer rights to the sons. Keeping the cabin in the family is often a primary consideration when cabins are to be inherited. However, in other cases, one sibling may either not wish to retain a share in the cabin, for various reasons. These may include personal preference, or the desire to liquidate the value of the property to use for other purposes. In this case, the sibling (or part-owner) can effectively put their share up for sale, with or without the agreement of the other owners (see below).

'Modern families'

In practice, a couple may own a primary residence, and one or more cabins. If the number of cabins is equal to the number of children, parents may decide to leave one to each, perhaps according to their degree of attachment to the different places. They may equally decide to instruct their offspring to share a cabin and enter into a co-ownership arrangement. Co-ownership may entail a formal contract that specifies how the co-ownership is to be managed, what rights are distributed, what obligations are shared, which weeks respective owners may use the cabin, or what degree of autonomy they have over maintenance or renovation.

Things get a little more complicated when contemporary family structures are taken into consideration. Couples who have 'her children, his children and our children', that is who bring children into a marriage and then have further children together, may have a more complex relation to the division of property. While property jointly owned may be left equally to all the children, property brought into the marriage may be retained under 'particular ownership', that is, held outside the marriage. Such property must be registered as '*særeie*', and will then be inherited only by the direct offspring of the partner owning the property, and not their step-children. This quite often relates to cabins, which one partner may inherit from their own parents, and wishes to keep within that family-branch. The branches indicated in the illustration above (figure 1) reflect a commonly held set of assumptions about kinship and the 'naturalness' of property flowing along the lines of biological (or adoptive) generational kin relations. This can be disputed, though, and forms another moment of tension in the route of property through kinship (or kinship through property).

For example, family Risdal's cabin appeared in a court case reported in Agder high court in February 2012. Olav Risdal bought a cabin at auction for his teenaged son, Roald, in 1971. In 1982, Roald sold the cabin back to his father for 50,000 kroner, under condition that he retained the right to purchase it back at the same price if the property were to be sold or at the point of inheritance. When Olav, and then his wife Anne died, Roald claimed the right to repurchase the cabin. But Anne had two children from an earlier marriage, and left three heirs, a son Arne, and two grandchildren, Olav and Diana, the children of a second, deceased son. Arne, Olav and Diana disputed Roald's claim to the cabin, and argued that since it was not held outside the marriage, it formed part of the general estate and that they should thus retain rights to inherit. Without going into the details of the case and its resolution, it indicates that the rights of step-siblings are disputable, while the rights of siblings are less easily challenged. One can only speculate at this point what the effect of taking this case to the high court may have on the relationship between the siblings,

nieces and nephews, but it appears unlikely that the cabin will fulfill its idealised role in the future as a place where the extended family gather to share their holidays. In this case, the cabin has a kind of contradictory role, where from one direction it kins the step-siblings through their argument that they are equally beneficiaries of the marriage and its shared property, while from the other side, it de-kins the step-siblings by asserting the primacy of the father-son relation in this buying of the cabin specifically for the son, and the maintenance of this prioritization through the specifying of a subsequent first-repurchase right for the son.

The issue at stake in the Risdal case appears to have been the price that Roald should pay for the cabin into the estate of his late parents before it was distributed between the heirs. While the sum paid to Roald by his father was a nominal sum, his co-heirs wanted him to pay the market value to purchase the property. While sales between family members do not necessarily correspond with market values, if the sale is arranged after the owner dies intestate, the legal norm for disbursing an estate requires the executors of the will to appoint an expert advisor to set a reasonable market value on the property, to be used to calculate both death taxes and the shares distributed to the heirs. While the market value of modest mountain cabins in less fashionable areas may mirror inflation, cabins in popular areas have changed in value quite radically in the past half-century. A small seaside cabin along the Oslo fjord that may have been built by or for a married couple in the 1950s or 60s for a few thousand Norwegian kroner, may now be worth several million kroner (hundreds of thousands, or even millions of Euros). If one of a group of heirs does not wish to participate in a co-ownership contract, for whatever reason, the others are obliged to buy them out, but if they do not have several million kroner available to buy the share of the exiting heir, they may be forced to go onto the open market to sell the dearly beloved cabin of their parents, where they have spent so many happy childhood summer holidays, and where they have always met to spend a few summer days together as a family ever since. Silje, for example, returned to Norway newly married in the 1980s after several years studying abroad, when her older sister decided she wanted to sell her share in their inherited summer cabin on the fjord a couple of hours drive south of Oslo, to buy something she preferred for her own family. Silje had no means of raising the substantial capital she would have needed to buy her sister's share, and was forced to see the cabin sold off. While she gained enough financially to help her buy a property in Oslo, she regrets even now the loss of the cabin. Its market value has risen so much that she would never be able to purchase it back, even as a well established and generously paid professional. So while the benefit of financial compensation through the sale of the property may provide some solace, the loss of the emotional tie, the possibility of returning to the cabin for future holidays, can be a major loss, and one that exacerbates the bereavement that has brought about the sale, and in some cases may cause a long-lasting family rift and years of extended grief or bitterness.

A similar outcome may result from the lack of long-term financial planning of owners, if the cabin is subject to inheritance tax that may be unaffordable for those who inherit the property, since the inheritance tax is calculated in relation to market value, not the value of a property when constructed and subject to normal inflation. A cabin may thus be sold out of the family on inheritance, simply because the heirs cannot afford to pay the tax that accrues on a modest property that has become caught up in a wild property bubble. Again, the cabin may be lost to the family, and with it the occasion of negotiating over the use of the cabin, the possibility of meeting there for holidays and special occasions, and sharing of the care of the cabin itself that the property demands. As the cabin moves out of joint, or family ownership, the family itself is reduced by the shared demands that co-ownership of

property entails. One could argue that the practice of kinship is reduced in this way, in proportion to the extent that kinship is enhanced by the sharing of ownership and care for a cabin.

Legal advice, legal roles

Many of the problems outlined above are well known. Where cabin owners are concerned to avoid such difficulties, they may well consult a solicitor for advice about inheritance and tax planning. There are solicitors who specialize in such issues, but most inheritance specialists will have a good knowledge of cabin-specific issues. What is more, interviews with such professionals indicate that they may also have strong opinions on the form that such inheritance should take. That is, despite strong protestations that all Cabin-cases are different, solicitors in particular may have strong moral views on the correct form of inheritance, driven in particular by experience of the legal wrangles that often arise from disputes between the beneficiaries of inheritance. Interviews indicate that solicitors often recommend against co-ownership, since it can lead to disputes among co-owners. One solicitor, very experienced in inheritance issues, explained his skepticism to co-ownership through reference to time and further inheritance:

‘it can go very well for the first generation, but then it goes to cousins and becomes a bit distant, then it gets even more distant, some will use it more than others, and some will do more of the maintenance and there are different interests. From being a lovely opportunity to meet up, it becomes a point of conflict, where people fall out with each other.’

Some people manage it, he acknowledged, but in his view, it depends largely on their personalities as well as the kind of management regime that has been put in place, a view echoed by other solicitors in interviews. Another solicitor recounted that when his parents became too elderly to maintain a sweet little cabin by the sea, he proposed to his siblings that they draw lots to see who would inherit it. The summer season is short, cabins require maintenance, so it would barely be worth sharing the cabin. Although it was difficult (emotionally) to draw lots for the cabin, it was a simple solution. The losers of the lottery would inherit a share in the parents’ house in Oslo – which, since each of them already had a house, was later sold. As he explained, people put a great deal of love into their cabins⁵.

Despite their reluctance, a legal system does exist that allows for co-ownership, in contrast to the British system (which requires ownership by more than two persons to be owned through a Trust). Norwegian law allows for shared ownership between spouses, or through the law on joint ownership. The latter, ‘*Sameieloven*’⁶, allows for unequal ownership between parties (i.e. one can own 70% and another 30%, for example); it is what is called a declaratory law, one allows for arrangements that are outside or beyond the arrangements specified in the law (i.e. particular contracts can have their own clauses) and that parties to a joint ownership may leave the arrangement at any time and without any particular reason. Joint ownership may be one means of sharing a cabin, but is only one part of the law that is brought into play in the inheritance of cabins, and the variation possible within the law allows for many different specific agreements. As one solicitor outlined, clauses may detail everything from who brings in the firewood, to who will use the cabin at Easter, as well as details about who may purchase a share from who and in what circumstances. Often when these arrangements are to be put in place, or when a contract

⁵ *noe som folk har spesielt lagt elsk på*

⁶ Lov om sameige [sameigelova]. Justis- og beredskapsdepartementet. LOV-1965-06-18-6

or a will has not been drawn up, people come to solicitors to help sort out the inheritance and deal with the tax arrangements.

Given this central role of legal professionals in the inheritance of cabins, it is perhaps surprising that so little attention has been given by social scientists, and particularly by anthropologists to the role of legal practices at critical moments for kinship. In this context, legal professionals have a significant role in not only translating the wishes of their clients into legal documentation, but also in persuading them how they should formalize their desires for the future of their family, via the distribution of ownership of their property. A highly experienced solicitor suggests, for example, that, 'as I see it, in principle, parents decide to organize things in advance, since that way their children can fall out with them, but that is less of a disaster than that they should argue between themselves for the rest of their lives'. Instead, a system of compensation through monetary value can be brought into play to resolve any potential inequalities, or at least to help to salve any potential hurt. This particular solicitor strongly urged clients not to simply allow their children to share property, but to allocate one property to one child, and give money to the others – better, in his view, to allow one offspring to buy out the others and own a lovely big cabin unshared.

On the other hand, when such arrangements are not put in place, it is often shortly after a death that a family appears at the solicitor's office to deal with the inheritance, at which point disagreements often materialize. The solicitor may thus end up practicing a form of pastoral care in helping the family to resolve the tensions that are collecting around property ownership. In a sense, the solicitor also acts in a pastoral sense when advising clients on their forward inheritance practices. As mentioned above, making arrangements in advance to transfer ownership of a cabin, while retaining some use-rights (and allocating use-rights to other members of the family) is common, but is not legally a will. Such transfers are generally done as a form of purchase contracts, or what might be known in English as conveyance. While the legal niceties are not crucial here, two things are clear. Firstly, kinship is performed in a particular way through the transfer of ownership of a cabin, and secondly, the law, and legal professionals have a key role in smoothing the way of this potentially difficult moment of re-defining kin-relations, and in shaping those relations through particular forms of the distribution and disbursement of property.

Conclusions

It is clear from the above discussion that market values intrude on the sentimental and affective values of the cabin in key ways. Market value can become a contested quantity in the settlement of distributive inheritance, and it may become a barrier to the maintenance of ownership of the cabin among heirs where the market value soars above their financial means. Market or cash value is generally seen as opposed to the sentimental value historically invested in the cabin through the practice of families going to and being at the cabin together, such that one might see them as two regimes of value coming into conflict. The heavy emphasis given to enjoying family life together at the cabin, and the focus of leisure and pleasure at the cabin serve to emphasise the kinship of the cabin itself. The cabin is where the family gathers, it requires care from the family (maintenance) and provides a reason for family to indulge in joint activities (skiing, hiking, food gathering, playing games, eating and drinking together, etc.) becoming, one could argue, a member of that family in its own way.

But the point of this paper is that cabins are enmeshed in a far wider range of value regimes than might be assumed from tax statements and asset declarations. Not only do they have affective value for those who have spent time at the cabin, but they have a role in a quite different regime of value, in gathering, conjoining, distinguishing and dividing kin.

Shared inherited ownership becomes a means to prolong siblingship relations beyond the life of parents, and thus a means of securing at least first-cousin (grandchildren), if not further generations of (great-grandchildren, etc.) kinship relations. Cabins also signify family togetherness, and are substantially used to effect family closeness (see Abram 2012), and thus the imperative of keeping the cabin in the family can be understood as a desire to keep the family together. Closer study of the details of cabin-kinship also reveal otherwise underemphasized details in kinship reproduction, namely the creation of a distinction between half-siblings, who inherit separately from their legal (i.e. biological or adoptive) siblings, and step-parents. At the same time, we should remember Appadurai's concern that the idea of a regime of value is to suggest that as items are exchanged (in this case through inheritance or through the market), the degree of cultural sharing of values may indeed be variable. While some families make extraordinary efforts to ensure that they use the cabin to secure siblingship (e.g. Aasheim and Nordby 2011), others insist that co-ownership is sure to result in family quarrels. Little research is currently available on the practices of foreign owners of Norwegian cabins (of whom there appear to be growing numbers), while alpine skiing apartments are increasingly taking the place of cabins among downhill skiing enthusiasts, and it is not yet clear whether these fit into the general cabin model. Implicit in the whole of this discussion is also the question of nationalism, since what is under consideration here is 'Norwegian' cabins. Certainly, similarities with Swedish, Danish or Finnish cabin practices may be identified, but many practices associated with Norwegian cabins, and practiced under Norwegian law, are also implicated in the generation of a sense of Norwegianness (see Ween and Abram 2012). There are certainly variations in the extent to which cabins are seen as commodities rather than heritage, and in the kinds of cabin that are more marketable quantities subject to urban styling, rather than simple holiday dwellings. By tracing some of the arrangements made for the inheritance of cabins, the outlines of these regimes of value should become clearer.

What I have shown in this paper is that holiday homes are not just places to have a holiday. Economic, environmental and social impacts of holiday homes are well recognized, but cabins may also reveal to us a great deal about the significance of ownership, and in turn of kinship and all that that entails. Economic impact is not only felt in terms of 'spend', but in the sharing of assets within and between families, and in the obligations that owners have towards their cabins and thus to each other. It helps us to understand why people travel to particular places, how they choose when to visit, who to invite, what to bring and what to do there. It also shows us that 'value' is a highly contested quality.

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